

REMARKS/ARGUMENTS

Examiner Interview Summary

A telephonic interview was conducted on July 8, 2009 between applicant's undersigned attorney and USPTO examiner Joseph Ustaris. Claim 75 was discussed with a view to distinguishing the invention embodiment defined by claim 75 from the disclosures of Ottesen and Jain. To that end, applicant proposed various possible clarifying amendments. The examiner agreed to consider these amendments upon applicant's submission of applicant's response to the outstanding official action. No further agreement with respect to the claims was reached.

Claim Rejections 35 USC 103

Claim 75: 'Converter' and Ottesen Index Parser

Claims 75 -78 stand rejected as being unpatentable under 35 USC 103 over Ottesen et al. in view of Jain et al.

The official action asserts Ottesen discloses applicant's claimed converter (citing Fig. 3, 33) by disclosing an index parser. The official action apparently equates the video segment provided by Ottesen's index parser with applicant's claimed 'media block comprising a portion of media content', as provided by applicant's claimed converter. However, applicant's claimed converter provides more than a media block. The embodiment of the invention defined by applicant's claim 75 recites a converter that further provides, automatically and separately, from the media block a description of the media content of the media block.

Ottesen's description of an index parser is limited to a device that provides video segments, wherein each video segment is encoded with a unique segment address (citing col. 9, line 60 – Col. 10, line 10). The official action asserts Ottesen's disclosure of a unique segment address, which Ottesen teaches to encode in Ottesen's video segments, is equivalent to applicant's claimed 'description of the media content' of a media content block. Applicant maintains a disclosure to encode a video segment with a unique segment address is not a disclosure to provide a media block (segment)

and a 'description of content of the media block (segment)'. The office action explicitly acknowledges that Ottesen fails to disclose a description of media content in a later portion of the official action wherein the examiner states that Ottesen fails to disclose providing a description of media content. Therefore, applicant submits the office's position that Ottesen's disclosure of an index parser is a disclosure of applicant's claimed converter cannot be sustained.

In order to facilitate prosecution, applicant's amended claim clarifies the distinctions between the converter embodiment of applicant's invention as recited in claim 75 and Ottesen's index parser. Applicant's claim 75 now recites that applicant's converter "**automatically and separately**" provides a.) "a description of media content" and b.) "media content". Further applicant's amended claim recites that neither the automatically and separately provided "description" nor the automatically and separately provided "media content" includes any storage address." Therefore, it cannot be said that Ottesen's index parser teaches the embodiment of applicant's invention recited in applicant's Claim 75.

Further, Ottesen fails to teach or suggest a converter wherein the separately provided content media blocks are stored in a first memory, and wherein the separately provided description of content of the media blocks is stored in a second memory, wherein neither the description nor the content media blocks includes any storage address.

Claim 75: 'Description of said media block' and Jain 'Asset ID'

Applicant's claim 75 recites, in relevant portion: a '...converter..automatically and separately providing a media content block comprising a portion of media content and a description of said portion of media content...". The office action asserts that Jain teaches applicant's claimed feature by Jain's disclosure of "metadata that describes the content associated with a digital video asset ID" (official action page 6). However, Jain lacks any disclosure that a 'digital video asset ID' is the equivalent of applicant's claimed 'media block comprising a portion of media content'.

Instead, Jain discloses a system wherein a [single] 'digital video' (identified by unique digital video asset ID) is subjected to various encoding processes (Vidsync

daemons) in response to a start command. The start command is issued with respect to the 'digital video'. The start command initiates one or more cataloguing sessions for the particular digital video being processed. The Vidsync daemons provide outputs referenced to the digital video asset ID of the digital video [asset] being catalogued. (See Jain, col. 5, line 60 through col. 6).

Jain has no disclosure to **automatically** divide the digital video (identified by an asset ID) into portions such as applicant's claimed media content blocks. Jain has no disclosure to automatically provide a description for each of applicant's claimed automatically provided media portions. Instead, Jain employs a manual process for defining Video Clips for a digital video by means of manually marked "in and out times". Likewise, a user defined set of text labels are processed. (See Jain, col. 13, lines 27-32). Thus, Jain lacks a disclosure of a converter automatically providing a description of portions of media content.

The official action states it would be obvious to modify Ottesen's index parser such that in addition to (or instead of) encoding a "segment address" in Ottesen's video segment, Ottesen's index parser would encode the digital video identifier of Jain in the video segment. The official action asserts such a combination would arrive at applicant's claimed converter by providing a hypothetical apparatus that provides both applicant's claimed 'media block comprising a portion of media content', and a 'description of said media content'.

Applicant has previously asserted that the result of such a combination would not operate to produce applicant's claimed result. This is because, even if an asset (or other) description were encoded within a video segment (in addition to, or instead of the segment address) there would still not be provided any way to retrieve the stored video segment based on the description. Neither Ottesen nor Jain disclose applicant's claimed 'translator configured to relate stored media blocks to stored descriptions.'

Applicant's claim 75 further recites that the description is generated automatically and separately. Ottesen teaches away from generating a segment /video clip separately from a segment address by Ottesen's teaching to encode the segment address on the video segment. Further, neither Jain nor Ottesen teaches a single

apparatus, i.e., a converter, that automatically and separately provides both the description and the content corresponding to a portion of media content.

Further, neither Ottesen nor Jain provide any teaching or suggestion that a media block is stored in a first memory and a description is stored in a second memory. Thus it is clear that the converter embodiment of applicant's invention recited in claim 75, provides separately and automatically both a "description" and a "media content block". Further applicant's stored "description" is stored in a first memory and applicant's media content block" is stored in a second memory.

Support for Claim Amendments

In support of applicant's claim amendments, applicant's specification describes an embodiment of applicant's invention wherein no storage address is provided in a request for media content. For example, Fig. 4 illustrates a request for content provided by a client 130 to distribution server 115. Fig. 4 illustrates distribution server 115 provides a request for location (storage address) of the requested content. Fig. 3 further illustrates that storage manager 300 provides location of content (address of content) to distribution server 115 which, in turn, provides the requested content to client 130. Therefore it is clear that in the embodiment illustrated in Fig. 3 the request for content from client 130 did not contain a location (storage address) of the requested content.

Further, on page 13, lines 15-20 of applicant's specification there is stated: "Distribution server 115 is an apparatus for receiving media requests from a client user over network 115, determining the location of the requested media data on the network, and directing the transmission of the requested media to the client user via network 100." Therefore applicant's specification clearly describes an embodiment of the invention in which a request for media does not include a location of the media. Instead, distribution server 115 determines the location of the requested media data.

Further, applicants claims are amended to recite that the media content block is stored at a first storage location and the description is stored at a second storage location. Support for this amendment to the claim is found in applicant's specification, for example, in Fig. 3 illustrating a first storage means (for example, online data store 310 of data storage 120) storing media blocks and a second storage means (metadata

storage 340) and text media block storage (specification page 20), storing media content identifiers and descriptive text respectively. For a description of Fig. 3 see page 25 line 18 wherein is stated: "On-line data storage 310 is a device or devices capable of storing and retrieving media content in a timely fashion."

Further, applicant's claims are amended to recite, in relevant portion: "said transformer enabling random retrieval of a plurality of stored media blocks based upon a single request comprising a description of content from a requestor, when said request does not include a storage address for any one of said plurality of stored media blocks."

Support for "random" retrieval of media content blocks is found, for example, on page 24, lines 13-18 wherein is stated: "It is important to note that each of the media content blocks can be delivered to a viewer, which can reproduce the entire block of media content without reference to any other media content block or other frame data."

Support for "random retrieval of a plurality of stored media blocks based on a single request" is found in applicant's specification, for example, on page 32 lines 20-23, wherein is stated: "It will be apparent to one of skill in the art that, for a given stream of media content, the client 130 need only make a single request to the distribution server 113...", wherein a "stream of media content" comprises a plurality of retrieved media content blocks which are stitched together after retrieval (page 32 lines 9-19).

Further support is found on page 19, lines 4- 19, wherein is stated "To retrieve media content from the system, client user 130 places a request to distribution server 115 for a selection [stream] of media content to be viewed. In one embodiment of the invention, distribution server 115 contacts data storage 120 and requests a copy of the first block [media block] of client requested media content....During transmission of the first block of requested media content to client user 130, a recursion subroutine automatically requests a copy of the second block [media block] of client requested media content."

Support for the "request" as being a request for content which does not include a storage address is illustrated in Fig. 4, for example, wherein a request for content is illustrated as provided by client 130 to distribution server 115. Distribution server requests the location (storage address) of the requested content from storage manager

300. So it is clear that the location of the requested content is not provided in the request. Instead the storage manager 300 provides the address of the requested content to the distribution server in response to the request for content.

Therefore, it is clear that a requester need not know, and need not provide a storage address for requested content when making his or her request for media content. Further, a requester can receive a plurality of randomly retrieved media blocks (a content stream) based on a single request.

Summary

Neither Ottesen nor Jain discloses a converter that provides a media block comprising a portion of media wherein the media block does NOT include a storage address for the media block, and wherein the converter further provides a description of media content that does not include a storage address for the media block.

Neither Ottesen nor Jain disclose that a media block is stored at a first storage location while a description of the content of the media block **separately and automatically** provided by a converter and stored at a second storage location. Further, neither Ottesen nor Jain disclose that a media block is stored at a first storage location while a description of the content of the media block is stored at a second storage location wherein neither the media block nor the description includes any storage location.

Neither Ottesen nor Jain, taken individually or in combination, discloses or suggests a transformer comprising a converter wherein the converter includes an input for receiving **format**-unspecified media content, and wherein the converter automatically provides a description of said portion of media content wherein the description **does not include a storage address** for said media block.

Neither Ottesen nor Jain, taken individually or in combination, discloses or suggests a storage managing unit coupled to the converter to receive the at least one media block and the media content identifier, wherein the storage managing unit provides a storage address for storing the at least one media block in a first memory, and wherein the storage managing unit stores the description in a second memory.

Neither Ottesen nor Jain, taken individually or in combination, discloses or suggests a translator configured to relate the storage address (for storing media content) provided by the storage managing unit to the description.

Neither Ottesen nor Jain, taken individually or in combination, discloses or suggests a transformer that enables **random** retrieval of a plurality of stored media blocks in response to receiving a **single** request comprising description of content from a requestor, when said request **does not include a storage address** for any one of said plurality of stored media blocks.

Therefore, applicant believes the rejection has been overcome and requests allowance of the claims at the earliest possible date.

Respectfully submitted,

/christinejohnson38507/

By: Christine Johnson
Attorney for Applicant
Reg. No. 38,507

Phone: 215-584-1159

August 10, 2009